

# UNDISAGREES IN CASE OF HOOFF

Discharged by Judge When Agreement Is Said to Be Impossible.

C. JONES RIXEY A WITNESS

Former Banker's Memory Bad, and He Appears Very Feeble.

(Special to The Times-Dispatch.) Alexandria, Va., January 15.—Standing seven for acquittal and five for conviction in the case of Lewis Hooft, former secretary and general manager of the defunct Mercantile Bank, indicted for the embezzlement of \$700 in currency, the property of the Virginia Safe Deposit and Trust Corporation, the jury was discharged at 2:30 o'clock tonight.

Frederick J. Jarley, foreman of the jury, from Fredericksburg, said the jurors felt they could never agree, even if they stayed in the jury room a week. However, they were sent back, and ten minutes later they were discharged by Judge Jarley.

The case went through rapidly this afternoon. The defense did not place any witnesses on the stand. The jury deliberated ten hours and fifteen minutes.

After the jury was discharged Hooft renewed his bond in the sum of \$10,000, and his case was continued until the April term of court.

This was the second trial of Hooft. There are nine indictments pending against him in connection with the failure of the institution of which he managed. A jury from Lynchburg, February 23, last returned a verdict of guilty to an indictment charging him with the embezzlement of \$13,500.

The institution of which he was manager failed January 12, 1911 and September 13, 1911, a grand jury returned nine indictments against him in connection with its failure.

C. Jones Rixey, who is accused of having wrecked the Virginia Safe Deposit and Trust Corporation, and who escaped trial by being indicted for the same crime in the Western State hospital, of Staunton, appeared in the corporation court here this morning to testify for the State in the case of Hooft.

Rixey had a bad memory and appeared entirely oblivious to his surroundings. After considerable difficulty he said that the nature of an oath was telling the truth. He appeared very feeble. His testimony after a few questions was thrown out and Rixey was excused and later returned to the asylum. A large crowd assembled to get a look at the former banker.

Lowlands Are Flooded.

Cairo, Ill., January 15.—Fear of flood damage has decreased here. Farms in the lowlands are dry, but the residents have moved to higher ground.

PURE FOOD BABY TO PARADE.

It Belongs to Dr. Wiley and Will Be Carried in Arms of Suffragists.

Washington, January 15.—Announcement was made today by the suffragist headquarters that if the weather permitted, the "pure food baby" of Dr. and Mrs. Harvey Wiley would be taken in the parade of the suffragists in Washington on March 2. The baby is six months old.

OBITUARY.

(Special to The Times-Dispatch.) Heathsville, Va., January 15.—J. W. Hughes, an old and widely known citizen of this county, died at his home near Nokomis, this morning, aged about sixty years. He is survived by his wife and several children. Interment will be in Coan Baptist Church Cemetery, with funeral services conducted by Rev. J. H. Smith.

Mrs. Haddanah F. Herron. (Special to The Times-Dispatch.) Winchester, Va., January 15.—Mrs. Haddanah F. Herron, member of an old family, died at the home of her brother, Robert B. Finney, near Winchester, this morning, aged about sixty years. She is survived by her husband and several children. Interment will be in the family burial ground at Hickory Grove.

Reggie F. Jones. (Special to The Times-Dispatch.) Lynchburg, Va., January 15.—Reggie F. Jones, a son of the late James Jones, of this city, died Tuesday afternoon at the home of his mother, Mrs. Jones, after a long illness. He was twenty-four years of age, and had been engaged for two years in the automobile business on the coast. He has a sister, Mrs. E. J. Jones, of Lynchburg, and a brother, Dillard Jones, of Columbia, O. He was a nephew of Miss O. H. Jones, of this city.

Ernest Pendergast, a nephew, was with Mr. Jones at the time of his death, and he is returning home with the body expected to arrive in Lynchburg next Tuesday.

Miss Caroline Wilson. (Special to The Times-Dispatch.) Lynchburg, Va., January 15.—Word has been received here of the death of Mrs. Caroline Wilson at Blacksburg, Va., Tuesday night, after a long illness. Mrs. Wilson was eighty-three years of age, and she was the widow of John Wilson, who died a few years ago. She is survived by her son, H. Dudley and Mrs. Rebecca A. Lewis, of this city, and Rev. J. D. Haymaker, of Strasburg. Interment will be in the family burial ground at Blacksburg.

No. M. E. James. (Special to The Times-Dispatch.) Salisbury, N. C., January 15.—Mrs. M. E. James, aged twenty-five years, was found dead in her bed early this morning. Heart disease is believed to have caused her death. She was married in 1911 to Mr. J. H. James, a member of the family found her dead when she was called for breakfast. She is survived by her husband and two children, Mr. J. H. James, with whom she lived.

IN MEMORIAM.

ALLEN.—IN LOVING MEMORY of my beloved husband, JESSE LIGHTFOOT ALLEN, who died January 15, 1912.

DEATHS.

MOSS.—Departed this life, Wednesday, January 15, 1913, near Farmington, Cal. Entered into rest, MISS ANNIE MOSS, of Kansas City, Mo., sister of Mrs. W. A. Crenshaw.

JONES.—Died suddenly, Wednesday, January 15, 1913, at the residence of his wife, Mrs. J. H. Jones, of this city, Mr. J. H. Jones, who died in the eighteenth year of his age.

BOTTOMS.—Killed at Chesapeake and Ohio shops, a P. M., January 15, 1913, Mr. J. H. BOTTOMS, of 1225 Myrtle Street. He leaves a wife and one child.

Funeral notice later.

# GOVERNOR WILSON

President-Elect Wants to Find Out All About Panama Canal.

Trenton, N. J., January 15.—President-elect Woodrow Wilson announced to-night that he had invited Colonel George W. Goethals, chief engineer of the Panama Canal, to confer with him here Friday.

The Governor declared he would try to obtain as much information as possible about the canal from Mr. Goethals, and looked forward to the visit with much interest.

The Governor also said he was arranging a conference with former Governor Marshall, the Vice-President-elect.

"I want to get in touch with Governor Marshall as soon as possible and get his views on men and politics," said Mr. Wilson, "I have decided only to get a date with him."

Today was one of many conferences. Senator-elect Ollie James, of Kentucky, came to express his views on what legislation the extra session should take up and what he thought of certain suggestions in Mr. Wilson's mind.

Senator Gore, of Oklahoma, lunched with the Governor and brought him the latest information from the various sources in which senatorial contests are being waged. The Senator said the bill he had introduced yesterday to increase the membership of the United States Supreme Court had been passed by the Senate.

The Governor said at the conclusion of the day's conferences that he had every assurance that the new administration among the Democrats in the Senate.

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2 Virginia App. 307.  
Supported by Evidence.  
"It is said that unless some such power as is here sought to be exercised exists injustice may be done, and innocent men may suffer punishment. All human tribunals are liable to err, and if laws were not enforced until all possibility of error was excluded, government would come to a standstill. All that the courts can do is to enforce the law as it is, and to give to all who come within the range of their jurisdiction the full and equal benefits of all the safeguards that have been established for the protection of those accused of crime."

The circumstances attending the cases before us are such as to leave no doubt upon our minds that the accused have had a fair trial, with every possible opportunity fully to present their case before an impartial jury, and that the judgments rendered against them are supported by the evidence, and are in accordance with the law of the land.

"We are, therefore, of opinion that the prayer of the petitions should be denied."

Apparently Not Notified.

As far as could be learned last night, the convicted had not been notified of the decision of the Supreme Court not to interfere in their case.

Major Wood will proceed this morning to the State Penitentiary, and will attend to it. Rev. J. J. Scherer, Jr., said last night that he was with the prisoners yesterday morning, and was leaving the prison he was informed by guards at the office that the petition had been refused.

Rev. George W. McDaniel, who was in the court yesterday, until late in the afternoon, and did not communicate to the prisoners.

A citizen who has been very active in behalf of the Allens said last night that if a communication is impossible, a petition will be asked for, and that if the Governor has made up his mind, the Allens had best be electrocuted, while the other two are in the electric chair. He cannot longer delay in the execution of this duty.

The board adopted sundry resolutions on this matter. First, it said that Dr. Mann was to be commended for his efforts, together with health officers, in calling attention to the former failure to provide sanitary facilities for the public schools. It also commended the board for having supplied these houses as promptly as possible.

The board found that, while the letter of the law had not been violated when a school trustee was employed by the contractor as a carpenter on the construction of the Kenbridge High School, the body could not give its approval to any instance in which a trustee does work for pay as a carpenter or as other employee on a school building in his district, under any circumstances.

As to the attorney for the Commonwealth, N. S. Turnbull, Jr., the board found that he had fully discharged his duty in the matters referred to by Dr. Mann.

It was determined that the spring examinations of teachers in Virginia this year shall be held on April 25 and 26, and the summer examinations on July 23, 24 and 25.

The resignation of Thomas S. Settle as supervisor of rural elementary schools was accepted. Superintendent Stearnes said he was not yet ready to nominate a successor.

At the request of Superintendent J. A. C. Chandler, of the Richmond schools, the text-books of which he is the author were accepted, as allowed by law, from the rule work of no school official may be interested in supplying books. The board had previously adopted his books. It is allowed to make exceptions for authors.

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The father recently served on a jury in the United States District Court, when investigating white slavery. According to her, he occurred at the time which could lead any one to abduct the child. She showed the strain he has gone through, and his daughter did not return to her home Monday night. He told of how the entire family assisted by the neighbors, thoroughly canvassed the Philadelphia hospitals, and finally resorted to the police of that city in a hope of finding her.

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# BOARD WILL MEET SIX TIMES A YEAR

Education Body Determines on Meetings at Set Times in Future.

Officials Are Criticized

Actions in Lunenburg Disapproved—Dates for Teachers, Examinations.

Hereafter the State Board of Education will meet on the fifteenth day of every alternate month, beginning with February. The board adopted this plan yesterday. Meetings have been held at irregular intervals, not averaging so many as under the new arrangement.

It is felt that more frequent meetings will prevent the congestion of business such as was experienced Tuesday and yesterday, and the idea of a definite date will put everybody on notice of the meeting times. When the fifteenth falls on Sunday, the meetings will be the following day.

The board adjourned at 7:30 o'clock. The decision in the Lunenburg County case was a sort of compromise. Dr. Edwin M. Mann, who brought the charges, is commended for his activity, and the Brown's Store District School Board is found to have done its duty in some respects. However, it is censured in that it was improper for one of its members to have been employed in any capacity in school work.

Superintendent Isham G. Wilkinson is found to have erred in permitting the transfer of State school funds from one district to another, in order, as he thought, to prevent its going back to the general treasury. He is excused because he was then new to the work.

The board adopted sundry resolutions on this matter. First, it said that Dr. Mann was to be commended for his efforts, together with health officers, in calling attention to the former failure to provide sanitary facilities for the public schools. It also commended the board for having supplied these houses as promptly as possible.

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